

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Unitrin Auto and Home Insurance Company,

Plaintiff,

v.

Civil No. 11-1493 (JNE/JJG)  
ORDER

Andrew T. Ruff, Sara Ruff, and Emily Ruff,

Defendants.

On April 26, 2012, the Court will hear Plaintiff's Motion for Summary Judgment. The parties should be prepared to address at the hearing the necessity of joining the injured party, Alexander Grenov, in this action under the federal Declaratory Judgment Act as opposed to the Minnesota declaratory judgment act. *See Manuel v. Convergys Corp.*, 430 F.3d 1132, 1138 n.3 (11th Cir. 2005) ("There is little doubt, and the parties do not argue otherwise, that the district court had to apply the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, rather than the state declaratory judgment act, in this action.").

IT IS SO ORDERED.

Dated: April 24, 2012

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge